APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,007	04/25/2001	Jae Kyung Lee	P-220	4930

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EXAMINER
BELIVEAU, SCOTT E

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/841,007	LEE, JAE KYUNG
	Examiner	Art Unit
	Scott Beliveau	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 November 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 31-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23 and 31-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR

1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn

pursuant to 37 CFR 1.114. Applicant's submission filed on 02 November 2005 has been

entered.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-23 and 31-33 have been considered but

are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-4, 11-14, 18, 20, 21, 23 and 31-33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Schein et al. (US Pat No. 6,002,394), in view of Gibbon (US Pat No.

6,473,778), and in further view of Berstis et al. (US Pat No. 6,901,367).

In consideration of claim 1, the Schein et al. reference discloses an internet enabled "television" (Figure 2) which comprises a "control unit" or associated processor and a "video processing unit" as necessary to generate and render the various on-screen displays related to television programming and information retrieved via the Internet related to programming (Col 4, Line 66 – Col 5, Line 15; Col 6, Lines 13-65; Col 8, Line 3-13; Col 13, Lines 58 – Col 14, Line 10; Col 18, Lines 7-67; Col 20, Lines 18-28). The reference, further discloses the ability for a user to order a transcript of a video program, which as commonly understood in the art corresponds to "closed caption character information" (Col 24, Lines 14-16). However, the particular creation and delivery method of such an ordered transcript is unclear.

In a related art pertaining to video distribution systems and in particular those associated with character information. The Gibbon reference discloses a system and method whereby an end-user device "receives closed caption character information in a first language" in the form of a hypermedia document which is further "displayed . . . on a screen substantially in sync with corresponding audio information" (Figures 2, 6, and 7; Col 3, Lines 1-17 and 46-57; Col 11, Line 17 – Col 12, Line 34). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify Schein et al. so as to employ the transcript generation and delivery techniques of Gibbon for the purpose of providing a means by which to produce a high quality video enhanced transcripts requiring in an automated fashion.

Taken in combination, the references provide a means by which the Schein et al. system is operable to order a transcript of a program whereupon the "control unit" is "configured to receive closed caption character information in a first language" and to subsequently display

the received "closed caption character information on a screen substantially in synch with corresponding audio information". The combined references, however, are silent with respect to the usage particular usage of the Schein et al. "network interface" [72] so as to particularly receive a translated version of the closed caption character information associated with the received hypermedia or web-page transcript should the user be unable to subsequently read the retrieved page.

In a related art pertaining to enhanced communication by providing language translation of received messages, the Berstis et al. reference discloses a device with a "language selection function" associated with a received communication including but not limited to web-pages (Col 4, Lines 24-35). In particular, as outlined in Figure 3, a "control unit" [12] is "configured to receive . . . information in a first language" whereupon "if it is determined that the first language does not correspond to a selected language" [309], the "control unit" [12] is configured to "send the . . . character information to a translation site through a network interface" [311] and to "receive the translated . . . character information from the translation site" [316] and to "display the translated . . . character information on a screen" [317] (Col 7, Line 38 – Col 8, Line 3). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify the combined references so as to further translate incoming "closed caption character information" associated with the received hypermedia with synchronized audio, if necessary, as taught by Berstis et al., for the purpose of providing a means to advantageously remove language barriers to viewers and to provide for the automatic translation of communications for received communications (Berstis et al.: Col 1, Lines 16-27; Col 2, Lines 21-37).

Therefore, taken in combination, the combined references provide an internet enabled television such as a PC-TV with a language selection function that is operable to order an enhanced hypermedia or web-page based transcript of a video program comprising both synchronous closed captioning and audio. Should the particular received transcript not correspond to a desired or previously selected user language, the system sends the communication or web-page to a remote site for translation of the textual information or closed captioning which is retrieved and presented to the user for subsequent operation.

Claim 12 is rejected in light of the aforementioned combination of references. The Schein et al. reference discloses a "network interface" [72] that is "configured to contact a translation site" such as AltaVista™ in light of the combined teachings. As shown by Berstis et al., the "storing unit" [614] "configured to store contact information for at least one translation site which corresponds to a plurality of languages and an operation program related to translation" (Berstis et al.: Col 1, Lines 61-63). The particular "storing unit" is necessary to be "configured to store contact information for at least one translation site" or the system would not be able to automatically contact the associated remote translation site. The "TV" further comprises a "control unit" or processor that is "configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit closed character information to be translated" associated with the received transcript as taught by Gibbon "in accordance with the operation program stored in the storing unit and to receive translated closed caption character information from the translation site" (Berstis et al.: Col 7, Line 38 – Col 8, Line 3). Finally a, "video processing unit" associated with the internet enabled television is subsequently "configured to display

the translated closed caption character information on a screen substantially in synch with

corresponding audio information" in connection with the user playing back the audio

associated with the received hypermedia transcript (Gibbon: Col 12, Lines 7-34).

Claim 18 is rejected in light of the combined teachings as previously set forth which

taken in combination disclose "a control method for a TV having a language selection

function". In particular, the Schein et al. reference is operable to "receive closed caption

character information in a first language" corresponding to received hypermedia or web-page

transcript per Gibbons. Subsequently, "if it is determined that the character information does

not correspond to a selected language" understandable by the operator, the user actuates the

"TV" to "contact an appropriate translation site through a network interface" wherein upon

the "translated closed caption character information [is displayed] on a screen" associated

with the Schein et al. display "substantially in synch with corresponding audio information"

upon being sent back to the user via the translation server (Berstis et al.: Col 7, Line 38 –

Col 8, Line 3).

In consideration of claim 23, the combined references discloses a "control method for a

TV having a language selection function". As aforementioned, the Schein et al. reference

discloses an internet enabled television such as a PC-TV which is operable to access

information retrieved over the internet and to further order program transcripts. The

reference, however, is silent with respect to details regarding ordered transcript. The Gibbon

reference discloses methods for providing hypermedia or enhanced transcripts which can be

presented substantially in synch with corresponding audio information. Accordingly, it

would have been obvious to one having ordinary skill in the art at the time the invention was

made so as to modify Schein et al. so as to employ the transcript generation and delivery

techniques of Gibbon for the purpose of providing a means by which to produce a high

quality video enhanced transcripts requiring in an automated fashion. The combined

references, however, are silent with respect to the particular translation of the received

enhanced transcript or closed caption information.

The Berstis et al. reference discloses a method for the selection of languages associated

with a received communication including but not limited to web-pages (Col 4, Lines 24-35).

In particular, as outlined in Figure 3 (Col 7, Line 38 – Col 8, Line 3), the system "determines

if a language of . . . character information included in a signal corresponds to a selected

language" [309], "requests translation of the . . . character information by contacting an

internet translation site corresponding to the selected language by selecting an appropriate

translation site from a plurality of translation sites" [311] (Col 1, Line 47 – Col 2, Line 20),

"transmits . . . character information to the selected translation site if the language of the . . .

character information included in the signal is different from the selected language"

[309/311], "receives the translated . . . character information from the translation site" [316]

and "displays the translated character information on a screen" [317]. It would have been

obvious to one having ordinary skill in the art at the time the invention was made so as to

modify the combined references so as to further translate incoming communications or

supplemental data, if necessary, as taught by Berstis et al., for the purpose of providing a

means to advantageously remove language barriers to viewers and to provide for the

automatic translation of communications for received communications (Berstis et al.: Col 1,

Lines 16-27; Col 2, Lines 21-37). Accordingly, taken in combination, the references provide

a "control method for a TV having a language selection function" as claimed.

Claims 2 and 13 are rejected wherein the system further comprises an "audio processing

unit" which is "configured to process audio information synchronized with the translated

character information displayed on the screen" (Gibbon: Col 12, Lines 7-34).

Claim 3 is rejected in view of the combined references wherein the Schein et al. reference

further comprises a "storing unit" or associated memory that is operable to store Internet

address information (Schein et al.: Col 8, Lines 2-7) or is "configured to store contact

information associated with a translation site" (Berstis et al.: Col 1, Lines 61-63). As

aforementioned, the particular "storing unit" is necessary to be "configured to store contact

information for at least one translation site" or the system would not be able to automatically

contact the associated remote translation site.

In consideration of claim 4, Schein et al. teaches that "contact information" for web-

pages is stored as a "URL (Uniform Resource Locator)" (Schein et al.: Col 18, Lines 20-43).

Berstis discloses the particular usage of the AltaVista™ Translation web-page for facilitating

remote translations. Accordingly, taken in combination, the "contact information comprise a

URL (Uniform Resource Locator)".

Claims 11 and 14 are rejected in light of the combined references wherein the "control

unit" or processor of Schein et al. is "configured to generate an OSD (On Screen Display)

based on the translated character information" (such as that illustrated in Figures 2 or 7 of

Gibbons) and to "provide the translated character information to the video processing unit in

order to display the OSD on the screen" dependent upon the particular format required by the

display device (Schein et al.: Col 8, Lines 7-13).

Claim 20 is rejected in view of the combined references wherein the system "contacts a

translation site based on language information and previously stored contact information

related to a plurality of translation sites" such as AltaVista™ (Berstis et al.: Figure 3) The

claims do not require that the "plurality of translation sites" are necessarily distinctive

entitles as opposed to a single entity which serves as a "plurality of translation sites" for a

plurality of languages (ex. contact information for AltaVista™ serves as contact information

related to a translation site for French and a translation site for Japanese and is therefore

logically related to a plurality of translation sites). As aforementioned, the previous storing

of contact information is necessary or else the system would not be able to automatically

contact the associated remote translation site. Subsequently, the system "request translation

of closed caption character information by transmitting the closed caption character

information to the translation site" [311] and "receives translated closed caption character

information from the translation site" [316] (Berstis et al.: Col 7, Line 38 – Col 8, Line 3).

Claim 21 is rejected wherein the "language information comprises user language

information which defines the selected language and character language information which

defines a language of character information included in a signal" (Berstis et al.: Col 5, Line

64 – Col 6, Line 4; Col 6, Lines 33-52).

Claim 31 is rejected wherein the "signal comprises a broadcast signal" from which the

closed captioning was derived (Gibbons: Col 6, LInes 24-29; Col 11, Lines 25-29).

Claims 32 and 33 are rejected wherein the "translation site is selected from a plurality of previously stored translation sites" such as those provided by AltaVista™ (Berstis et al.: Figure 3). As aforementioned, the claims do not require that the "plurality of translation sites" are necessarily distinctive entitles as opposed to a single entity which serves as a "plurality of translation sites" for a plurality of languages (ex. contact information for AltaVista™ serves as contact information related to a translation site for French and a translation site for Japanese and is therefore logically related to a plurality of translation sites).

5.   Claims 5-10, 15-17, 19, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (US Pat No. 6,002,394), in view of Gibbon (US Pat No. 6,473,778), in view of Berstis et al. (US Pat No. 6,901,367) and in further view of Mighdoll et al. (US Pat No. 5,918,013).

In consideration of claims 5 and 15, the combined references are silent as to the particular usage of a "transaction relay server". In a related art pertaining to the distribution of information to a network television, Mighdoll et al. discloses the usage of a "translation relay site server" [5] for facilitating access to and retrieving information from remote servers. In particular, the subscriber terminal "contacts a translation relay site server" [5] "by using a URL associated" with the remote server [4] and subsequently "receives . . . character information from the translation relay site server" (Mighdoll et al.: Figures 4A, 6, and 9). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to particular employ a "translation relay server" such as the of Mighdoll et al. for the purpose of employing a proxy server in order advantageously improve

the quality of web-pages received from the internet which are subsequently displayed on television devices (Mighdoll et al.: Col 1, Line 44 – Col 2, Line 6).

Claim 6 is rejected wherein the "control unit" or processor of Schein et al. is "configured to contact the translation relay site server through a network interface unit" [72] associated with a modem.

Claims 7 and 16 are rejected in view of the aforementioned combination of references wherein the "translation relay server" [5] of Mighdoll et al. is "configured to receive closed caption character information and language information from the control unit, to translate the transmitted closed caption character information into a language corresponding to the language information" should a cached version of the requested translation exist in memory and "to transmit the translated closed caption information to the control unit" for subsequent display on the receiver (Mighdoll et al: Figures 4A and 6).

Claim 8 is rejected wherein the "language corresponding to the language information is a language selected by a user" (Berstis et al.: Figure 2; Col 6, Lines 33-52).

Claim 9 is rejected in light of the combined references wherein the "translation relay site server" [5] is "configured to receive translated closed caption character information from the translation site in accordance with the selected language and to transmit the translated closed caption character information to the control unit" for subsequent display (Mighdoll et al: Figures 4A and 6).

Claim 10 is rejected in light of the aforementioned combined references wherein the "translation site" such as AltaVista™ is "configured to receive the closed caption character information to be translated" from the proxy server of Mighdoll et al. or "translation relay

site server" [5], "to translate the closed caption character information into the selected

language and to provide the translated closed caption character information to the translation

relay site server" for transcoding and eventual display on the client terminal.

Claim 17 is rejected wherein the "translation relay site server" [5] is "configured to

receive translated closed caption character information from the translation site and to

transmit the translated closed caption character information to the control unit" (Mighdoll et

al: Figures 4A and 6).

Claim 19 is rejected in light of the aforementioned combination of references as

previously set forth. In particular, as previously set forth the Berstis et al. reference discloses

the steps of "determining if a language of closed caption character information included in a

signal corresponds to the selected language" whereupon it "transmits the closed caption

character information included in the signal to a . . . server if the language of the closed

caption character information included in the signal is different from the selected language"

(Berstis et al.: Figure 3). Figure 4A of the Mighdoll et al. reference illustrates the particular

usage of a "translation relay site server" [5] interconnected to remote servers wherein

communications derived from the client are redirected via the "translation relay site server"

[5]. Therefore, taken in combination when using a network distribution architecture which

utilizes a proxy server, the method comprises "transmitting the closed caption character

information included in the signal to a translation relay site server . . . and transmitting the

closed caption character information from the translation relay site server to a translation

site" (ex. AltaVista™). The method finally "transmitting the translated closed caption

character information from the translation site to the translation relay site server [which] . . .

receives the translated closed caption character information" for subsequent delivery to the client.

In consideration of claim 22, the combined references do not explicitly disclose that the "previously stored translation site contact information is updated periodically". However, the Berstis et al. reference suggests the existence of a plurality of translation web sites over and above that provided by AltaVista™ (Berstis et al.: Col 1, Line 61-63). The Mighdoll et al. reference discloses that that server can update the list of services used by any client to reflect services becoming unavailable or services coming on-line (Mighdoll et al.: Col 15, Lines 20-46). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made, in light of the combined references, so as to "[periodically update] the previously stored translation site contact information" for the purpose of providing the user with access to additional translation services should they become available or in case other services are temporarily off-line.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

- The Li et al. (US Pub No. 2001/0044726 A1) reference discloses a system and method for providing translations of closed caption text on demand from a remote server. This reference does not currently qualify as prior art under 35 U.S.C. 102.

- The Scanlan (US Pat No. 6,985,850) reference discloses a system and method for ordering translations for various forms of received communications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott Beliveau
Examiner
Art Unit 2614

SEB
January 12, 2006